UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/038,071	01/04/2002	Craig Storms	30566.203-US-01	7330

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EXAMINER
BETIT, JACOB F

ART UNIT	PAPER NUMBER
2164	

DATE MAILED: 04/05/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *21 July 2005*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-89* is/are pending in the application.

4a) Of the above claim(s) *1-11,25-37,51-63 and 77-89* is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *12,14-24,38,40-50 and 64-76* is/are rejected.

7)☐ Claim(s) *13 and 39* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

SAM RIMELL
PRIMARY EXAMINER

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1.   A request for continued examination under 37 CFR 1.114, including the fee set forth in

37 CFR 1.17(e), was filed in this application after final rejection on 19-January-2006. Since this

application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37

CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn

pursuant to 37 CFR 1.114. Applicant's submission filed on 19-December-2005 has been entered.

Remarks

2.   In response to communications filed on 19-December-2005, claims 1, 12, 25, 38, 51, 64,

and 77 are amended per applicant's request. Claims 1-89 are presently pending in the

application of which claims 1-11, 25-37, 51-63, 77-89 are withdrawn from consideration.

Election/Restrictions

3.   Claims 12-11, 25-37, 51-63, and 77-89 are withdrawn from further consideration

pursuant to 37 CFR 1.142(b), as being drawn to a nonelected species, there being no allowable

generic or linking claim. Applicant timely traversed the restriction (election) requirement in the

reply filed on 13-January-2005.

4.   In response to the applicant's newly cited arguments of traverse of the restriction

requirement made on 13-December-2004, this requirement was made FINAL in the office action

dated 21-April-2005 and therefore any further arguments made towards this requirement will not

be considered.

Claim Rejections - 35 USC § 112

5.   The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6.   Claims 64-76 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

7.   Claim 64 recites the limitation "generating ... one or more calculations that can operate on one or more values in the set of one or more constant lists". This limitation renders the claim indefinite because it is not clear if the calculations ever actually do the operating on the values or if they just are meant to have the ability to perform these operations. MPEP 2106 II (c) states "Language that suggests or makes optional but does not require steps to be performed or does not limit a claim to a particular structure does not limit the scope of a claim or claim limitation." For the purpose of examining the examiner assumes that it was meant --generating ... one or more calculations that ~~can~~ operate on one or more values in the set of one or more constant lists--.

8.   Claims 65-76 are rejected for being dependent on rejected independent claim 64.

9.   Appropriate corrections are required.

Claim Rejections - 35 USC § 102

10.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an

international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

11.   Claims 12, 16, 18-21, 23-24, 38, 42, 44-47, 49-50, 64, 68, 70-73, and 75-76 are rejected under 35 U.S.C. 102(e) as being anticipated by Hind et al. (U.S. patent No. 6,635,088 B1).

As to claim 12, Hind et al. teaches a method for generating data in a self-expanding data package in a computer system comprising:

generating one or more values in a set of one or more constant lists and storing said one or more values in the self-expanding data package (see column 7, lines 38-67);

generating one or more calculations that operate on one or more values in the set of one or more constant lists and storing said one or more calculations in the self-expanding data package (see column 8, line 44 through column 9, line 40);

transmitting the self-expanding data package to a second computer system that expands the self-expanding data package into an expanded table having expanded table rows (see column 8, lines 25-59 and see column 9, lines 30-41), wherein each expanded table row comprises a combination and each combination is generated by combining every value in each constant list with any combination of values from remaining parameters and performing the one or more calculations on the one or more values (see column 8, line 60 through column 9, line 29), wherein the one or more calculations eliminate one or ore expanded table rows (see column 8, lines 44-59, where the entities are removed when the file is decompressed).

As to claim 16, 42, 68 <u>Hind et al.</u> teaches wherein one or more calculations are utilized to provide additional data used in the expanded table (see figures 3A and 3B, where it is inherent that after the parser decompresses the data the result will look be figure 3A).

As to claim 18, 44, 70 <u>Hind et al.</u> teaches wherein one or mote calculations provide for eliminating duplicate expanded table rows (see column 8, lines 44-59).

As to claim 19, 45, 71 <u>Hind et al.</u> teaches wherein the self-expanding data package is written in extensible markup language (XML) (see column 1, lines 8-12).

As to claim 20, 46, 72 <u>Hind et al.</u> teaches wherein one or more calculations are selected through a graphical user interface (see column 7, lines 38-67, where the calculations are selected when the user selects a file).

As to claim 21, 47, 73 <u>Hind et al.</u> teaches wherein the self-expanding data package is transmitted across a network (see column 7, lines 14-67).

As to claim 23, 49, 75 <u>Hind et al.</u> teaches wherein an editor is used to directly edit the self-expanding data package (see column 2, lines 23-26, where it is inherent that an editor is required for a human to edit an XML file).

As to claim 24, 50, 76 <u>Hind et al.</u> teaches wherein logic for expanding the data package into the expanded table is fully defined within the data package and the data (see column 8, lines 38-43).

As to claim 38, <u>Hind et al.</u> teaches an apparatus for generating data in a self-expanding data package in a computer system comprising:

(a) a computer system having a memory and a data storage device coupled thereto (see figure 1);

(b) one or more computer programs, performed by the computer system, for generating a self-expanding data package and storing the self-expanding data package in the memory (see column 8, line 44 through column 9, line 40), wherein the self-expanding data package comprising:

(i) one or more values in a set of one or more constant lists (see column 7, lines 38-67); and

(ii) one or more calculations that operate on one or more values in the set of one or more constant lists (see column 8, line 44 through column 9, line 40);

wherein the self-expanding data package is transmitted to a second computer system that expands the self-expanding data package into an expanded table having expanded table rows (see column 8, lines 25-59 and see column 9, lines 30-41), wherein each expanded table row comprises a combination and each combination is generated by combining every value in each constant list with any combination of values from remaining parameters and performing the one

or more calculations on the one or more values (see column 8, line 60 through column 9, line 29), wherein the one or more calculations eliminate one or more expanded table rows (see column 8, lines 44-59).

As to claim 64, Hind et al. teaches an article of manufacture comprising a program storage medium readable by a computer and embodying one or more instructions executable by the computer to perform a method for generating data in a self-expanding data package in a computer system, the method comprising:

generating, in the self-expanding data package, one or more values in a set of one or more constant lists (see column 7, lines 38-67);

generating, in the self-expanding data package, one or more calculations that operate on one or more values in the set of one or more constant lists (see column 8, line 44 through column 9, line 40);

wherein the self-expanding data package is transmitted to a second computer system that expands the self-expanding data package into an expanded table having expanded table rows (see column 8, lines 25-59 and see column 9, lines 30-41), wherein each expanded table row comprises a combination and each combination is generated by combining every value in each constant list with any combination of values from remaining parameters and performing the one or mote calculations on the one or more values (see column 8, line 60 through column 9, line 29), wherein the one or more calculations eliminate one more expanded table rows (see column 8, lines 44-59).

Claim Rejections - 35 USC § 103

12.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

13.   Claims 14-15, 40-41, and 66-67 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Hind et al. (U.S. patent No. 6,635,088 B1) in view of Sasaki et al. (U.S. patent

No. 6,434,623 B1).

As to claim 14, 40, 66, Hind et al. does not specifically disclose wherein one or more

calculations are applied to test validity of the expanded table rows, and only those expanded

table rows that are valid are maintained in the expanded table.

Sasaki et al. teaches this see column 5, line 64 through column 6, line 25. Therefore it

would have been obvious for one of ordinary skill in the art at the time the invention was made

to have modified Hind et al. to include the teachings of Sasaki et al. because these teachings

would allow a user to identify that the data from the source is in "short supply" and to later

receive any "missing data" (see Sasaki et al., abstract).

As to claim 15, 41, 67, Hind et al. as modified, teaches wherein one or more calculations

are utilized to perform a precursor conditional test that is used to test validity of the expanded

table rows (column 5, line 64 through column 6, line 25).

14.   Claims 17, 22, 43, 48, 69, and 74 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Hind et al. (U.S. patent No. 6,635,088 B1) in view of the examiner's official

notice.

As to claim 17, 43, 69 Hind et al. does not specifically disclose wherein the self-

expanding data package comprises product data for use in a computer-aided design application.

The examiner takes official notice that it would have been obvious for one of ordinary

skill in the art at the time the invention was made to have modified Hind et al. to include wherein

the self-expanding data package comprises product data for use in a computer-aided design

application because this would allow information from one engineer using a CAD program to be

transmitted to another engineer using a CAD program in an efficient manner.

As to claim 22, 48, 74 Hind et al. does not specifically disclose wherein one or more

calculations comprise one or more filters that limit results displayed from the expanded table

rows.

The examiner takes official notice that it would have been obvious for one of ordinary

skill in the art at the time the invention was made to have modified Hind et al. to include wherein

the self-expanding data package comprises one or more filters that limit results displayed from

the expanded table rows because this would allow comment fields (i.e. <!-- comment here -->)

inside the XML that would allow someone reading the raw XML file to more fully understand

what the data means.

Allowable Subject Matter

15.   Claims 13 and 39 are objected to as being dependent on a rejected base claim, but would

be allowable if rewritten to include the limitations of the independent claims on which they

depend.

16.   Claim 65 would be allowable if rewritten to overcome the rejection(s) under 35

U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of

the base claim and any intervening claims.

Response to Arguments

17.   Applicant's arguments filed 19-December-2005 with respect to claims 12, 14-24, 38, 40-

50, 64, and 66-76 have been fully considered, but are moot in view of the new grounds of

rejection.

Conclusion

18.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Jacob F. Betit whose telephone number is (571) 272-4075. The

examiner can normally be reached on Monday through Friday 9:30 am to 5:30 pm.

        If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Charles Rones can be reached on (571) 272-4085. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

jfb

30 Mar 2006

SAM RIMELL

PRIMARY EXAMINER